



**CABINET FOR HEALTH AND FAMILY SERVICES
OFFICE OF LEGAL SERVICES**

Matthew G. Bevin
Governor

275 East Main Street, 5W-B
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Adam Meier
Secretary

July 16, 2019

Shafaq Patel
MuckRock News
Dept MR 770026
411 Highland Avenue
Somerville, MA 02144-2516
Email: 77026-56447912@requests.muckrock.com

Dear Mr. Patel:

This letter is in response to your open records on July 12, 2019. You requested:

RE: Abortion Services

1. Any public records requests, as well as any provided responses or responsive materials, submitted by groups with a publicly known focus on anti-abortion Pro-life sentiments. Please include but do not limit responsive materials to those referencing the following originations:

- Pro-Life Action League
- National Right to Life
- Check My Clinic
- The Center for Medical Progress
- Coalition for Life
- Operation Rescue
- Right to Life

If there is a group, like a local city group, that has this sentiment but was not listed, Please also provide their requests as well.

2. All communications, from Jan. 1, 2015 to present day, between your agency and Representatives of the following organizations:
 - Pro-Life Action League
 - National Right to Life
 - Check my Clinic
 - The Center for Medical Progress



- Coalition of Life
 - Operation Rescue
 - Right to Life
3. Any and all requests and documents with following words:
- Abortion
 - Termination of Pregnancy
 - Unborn babies
 - Induced Abortion
 - Fetal Tissue
 - Partial Birth Abortion
 - Telemedicine

In response to your request, the Cabinet cannot reasonably ascertain what records you seek without definite parameters. The Cabinet employs thousands of employees, and has done so for many years. It would require an inordinate amount of time to search every single individual employee's electronic accounts and hard copy folders for "any and all" records requests and correspondence containing all the terms, some of which require further interpretation, and with various organizations, you have provided going back to January 2015. The Kentucky Open Records Act does not require an agency to conduct a search for "any and all" requests. This request lacks the particularity required of an open records request. The Open Records Act requires that requests have "reasonable specificity" as to what is being requested. *See, e.g.*, 17 -ORD-197. Your generic request for "any and all" open records requests and "any and all" correspondence at the Cabinet for many different generic terms and entities does not satisfy this reasonable-specificity standard.

If you have any questions, please contact David Lovely at (502) 564-7905 ext. 3444, davidt.lovely@ky.gov. You may also contact my assistant Evelyn Miller at (502) 564-7905, ext. 3441, or evelynl.miller@ky.gov. Should you disagree with this decision, you may seek review by the Attorney General in accordance with KRS 61.880. Thank you.

Sincerely,

David T. Lovely

DTL/clm